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SUBJECT: GENEVA DISCUSSIONS ON GEORGIA: ROUND IX

CLASSIFIED BY: Peter F. Mulrean, Counselor, State, RMA; REASON:  
1.4(B), (D)

11. (C) SUMMARY: The de facto authorities in Abkhazia and South Ossetia continued to clamor for "bilateral" non-use of force agreements with Georgia. The Georgians continued to insist Russia be part of such agreements and to link them with international security arrangements. While the Abkhazia IPRM continued to function, the South Ossetians linked resumption of their IPRM to new information from the Georgians about missing persons. The Russians, accusing the Georgians of remilitarization, stood behind the South Ossetians, but privately undertook to try and resuscitate the IPRM. In an aside with the U.S., the Russians rejected any increased international presence in the breakaway regions, but did not reject possibly creating a bigger role for the IPRMs. The second working group was unable to make progress on water or gas projects, but agreed to meet one day before the next round of Geneva Discussions (planned for March 30) for an experts' presentation on IDP-related issues. END SUMMARY.

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NON-USE-OF-FORCE  
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12. (SBU) The South Ossetians and Abkhaz continued to insist they faced an ongoing threat from Georgia and therefore needed "bilateral" non-use-of-force (NUF) agreements with Tbilisi. Georgian Deputy Foreign Minister Giga Bokeria countered that such an agreement makes no sense without further elucidation of international security arrangements, which neither the de facto authorities nor the Russians were willing to consider. Bokeria also noted that Georgia continued to face a threat from Russia, which has passed a law authorizing the government to take measures to protect Russian citizens overseas. EU Co-Chair Pierre Morel stressed that non-use of force means nothing without meaningful implementing measures, noting that the Tagliavini report also called for an increased international presence.

13. (SBU) EUR Deputy Assistant Secretary Kaidanow echoed Morel's sentiments, and pointed out that the Co-Chairs' proposal on "interim steps," which contained a modest enhancement of the international presence on the ground, would be a good beginning. DAS Kaidanow also noted that the August 12 cease-fire signed by Russian President Medvedev and Georgian President Saakashvili had included NUF, and urged the Russians to comply with the other five elements of the cease-fire agreement.

¶4. (SBU) The Russians rejected the co-chairs' approach, with Deputy Foreign Minister Grigoriy Karasin stating categorically that Russia cannot accept an increased international presence. He threatened that any insistence on such a presence could "disrupt the Geneva process." Morel reacted strongly to Karasin's position, pointing out that the working assumption of the discussions at Geneva VI, VII and VIII has been to combine the idea of a NUF agreement with international security arrangements. He objected that Russia's sudden rejection of this connection threatened to undermine all the work that has been done over the last three rounds. With a show of emotion, Morel said the co-chairs would not allow themselves to become "quiet managers of the status quo."

¶5. (C) In a private conversation with DAS Kaidanow, Karasin claimed that "his lawyers" would never agree to an international presence in Georgia outside the already agreed Incident Prevention and Response Mechanisms (IPRMs). Kaidanow encouraged him to explore further with Morel the possibility of enhancing the IPRMs to accommodate a more robust international role and mandate, a suggestion that he claimed to be willing to consider. She made the same suggestion to Morel, who had expressed reluctance earlier to expand the role of the IPRMs at the possible "expense" of the Geneva-based dialogue.

¶6. (SBU) The Russians did acknowledge that Georgia has status issues with the territories that will preclude signing an agreement with the de facto authorities. As an alternative to a formal

treaty, Karasin suggested that all three consider making unilateral declarations to the United Nations on non-use-of-force. The Georgians said they might consider the proposal if Russia would be part of the arrangement.

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INCIDENT PREVENTION AND RESPONSE MECHANISMS  
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¶7. (SBU) Although all participants agreed the Abkhazia IPRM had continued to work reasonably well, the South Ossetians continued to argue that they would not restart their IPRM (suspended since October 2009) without first getting more information from the Georgians on the residual issue of the three missing persons that they have been concerned with for some time. Morel suggested a way forward by separating out the missing persons issue and addressing it through the International Red Cross and Crescent (ICRC), as well as through ongoing discussion with Council of Europe representative Thomas Hammarberg. The South Ossetians were willing to accept these additional efforts to work on the missing persons cases, but steadfastly refused to return to the IPRM until the cases were resolved.

¶8. (SBU) Morel also tried to address the South Ossetians' concerns about the procedural elements of the IPRM. He proposed a new arrangement for setting the agenda and moderating the meetings, which he called the "Fourth Variant," based on the South Ossetians' own ideas. He then suggested that those parties who participate in the South Ossetia IPRM hold a side meeting to discuss this proposal. The South Ossetians and Russians refused to attend the side meeting, so the Georgians, EUMM and OSCE were unable to take any action on the proposal.

¶9. (C) DAS Kaidanow privately (and pointedly) noted to Karasin on the margins that the resumption of the South Ossetian IPRM was the

sina qua non for any further discussion on "non-use-of-force" or other security arrangements. Karasin undertook to try and encourage the South Ossetians to moderate their view.

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MISSING PERSONS  
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¶10. (SBU) The Georgians relayed privately that the ICRC had convened a meeting among the South Ossetians, Georgians, and Russians under their auspices in Geneva January 27 to discuss forming a commission to look at the missing persons issue, including the three individuals of concern to the South Ossetians. Everyone reportedly concurred this would be a good idea, but there was no real agreement on venue. South Ossetia objected to Ergneti, on the administrative boundary line, and suggested Geneva. ICRC said this made little sense, especially since meetings often need to take place on short notice. The Georgians expressed the fear that the South Ossetians might object to IPRM meetings in Ergneti in the future, though this was not immediately apparent. [Note: The ICRC subsequently informed us that all parties have now agreed to meet periodically in Geneva. End note.]

¶11. (SBU) During the discussions, Morel expressed the hope that the involvement of the ICRC and the Council of Europe in the investigation of individual cases would not only help make progress on those cases, but allow the South Ossetians to return to the IPRM. Representative of the South Ossetian "president" Boris Chochiyev replied in the negative, saying that he had little hope that these additional efforts would make much difference. He also noted that South Ossetia had concerns about cases dating to before the war, seeming to imply that resolution of the cases under

discussion might not be enough, but he did not go into detail.

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REMILITARIZATION ACCUSATIONS  
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¶12. (SBU) European Union Monitoring Mission (EUMM) Chief of Mission Hansjoerg Haber gave a detailed assessment of developments on the ground. Countering Russian General Kulakhmetov's explicit allegations of Georgian troop movements and redeployments aimed at threatening the two separatist regions, Haber noted that the Georgians are living up to their unilateral transparency commitments under MOUs with the Ministries of Defense and Internal Affairs, and that EUMM's own assessment is that Georgian deployments are of a fundamentally defensive nature. He also noted that it is Russia that has not complied with its cease-fire commitments, in particular in the regions of the Upper Kodori Valley, Perevi and the Akhlagori Valley. Haber also listed a number of hotspots along the administrative boundaries of both regions on which the EUMM keeps a careful eye.

¶13. (C) Haber later related privately that, in a side conversation with Karasin and Kulakhmetov, the Russians requested a copy of Haber's presentation. Haber got the impression that Karasin did not have a very clear picture of the situation on the ground, and that in general the MFA did not get regular information from the Russian agencies (the military and the FSB) with primary presence in the regions.

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GEORGIAN ENGAGEMENT STRATEGY  
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¶14. (SBU) The Russians acknowledged receipt of the engagement strategy, which the Georgians had passed to them on the margins of the session, but did not comment extensively on its contents. Karasin was careful not to reject it out of hand, but was disparaging about Georgians' intentions in drafting such a document. Georgian Deputy Foreign Minister Bokeria noted that Geneva was not the proper forum to discuss the strategy, and stressed that its goal was to reach out to the people in the regions in a non-politicized way.

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WORKING GROUP TWO STILL STALLED, INFORMATIONAL MEETINGS TO BEGIN  
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¶15. (SBU) The second group focused its morning session on one paragraph of the "Agreed Undertakings" draft circulated by the Co-Chairs, but were unable to make any progress. The South Ossetians reintroduced concepts that had been debated and rejected in previous rounds, with the Russians playing a more openly unhelpful role. The tone of conversation became more negative and personal than in previous rounds.

¶16. (SBU) The OSCE remained cautiously hopeful that gas might be secured for Akhhalgori. While Georgia appeared to be cooperative, the South Ossetians insisted they would only consider the possibility of discussing proposed water projects to feed irrigation systems in undisputed Georgia after Georgia turns on the gas. In a discussion of potential action items, the U.S. suggested the Co-Chairs hold informational meetings with experts to explain how issues related to the return of internally displaced persons

(databases, go-and-see visits, etc) had been addressed in other situations. All parties agreed that such a meeting will take place in a half-day session before the next round of the Geneva Discussions March 30.

¶17. (C) COMMENT. This was the least productive round in recent memory, with regression on both the NUF agreement/international security arrangements (Russia's categorical rejection of the latter) and the IPRM (South Ossetia's refusal to participate), and no progress on Working Group II's Agreed Undertakings. Many participants expressly questioned the continued utility of Geneva. The South Ossetian reference to detention cases from before the August 2008 war, which have not been raised before, raises the specter that, even if we resolve one of their concerns, they will always find another. Russia's outright rejection of international security arrangements, which have been a key part of the co-chairs' efforts to cobble together a compromise, also raises questions about their commitment to finding a workable and durable way forward. Unless we can, in the runup to March 30, somehow lay the groundwork for a more productive session -- at the very least get the South Ossetians to return to the IPRM -- the process is in jeopardy.  
GRIFFITHS